

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael B. McAvoy

Application No.: 10/731,695

Confirmation No.: 3269

Filed: December 9, 2003

Art Unit: 3663

For: AIRCRAFT GALLEY SYSTEMS AND
METHODS FOR MANAGING ELECTRIC
POWER FOR AIRCRAFT GALLEY
SYSTEMS

Examiner: R. M. Mancho

APPELLANT'S REPLY BRIEF

Attn: Board of Patent Appeals
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTION

Appellant submits this Reply Brief in accordance with 37 C.F.R. § 41.41 in response to the Examiner's Answer mailed on January 23, 2008 and respectfully request its entry.

REMARKS

The Examiner's Answer mailed January 23, 2008 did not include any new grounds of rejection. However, the Examiner did remove the Section 112 rejections of claims 2-7 and 71-77.

The Response to Argument section on page 9 of the Examiner's Answer appears to have been taken largely from the Final Office Action mailed January 30, 2007. In this section, however, the Examiner does make some additional comments which the appellant wishes to address herein. More specifically, the Examiner states that "appellant appears to be arguing selectively polling electrical devices, but the claims do not preclude continuously polling electrical devices."

Appellant's arguments are clearly set out in the Appeal Brief. For example, on page 14 of the Appeal Brief the appellant states "Weiler fails to disclose or suggest *any* type of electrical device polling—much less polling the electrical devices in response to an operating command from one of the electrical devices." To overcome this deficiency, the Examiner asserts that monitoring a load with Weiler's load sensor 43 is the same as "polling a plurality of electrical devices for power requests in response to receiving an operating command," as called for by claim 1. The appellant respectfully disagrees. Monitoring or measuring a "prevailing" load in some electrical devices is not the same as "polling the devices" in response to an operating command. Accordingly, Weiler cannot support a Section 102 rejection of the pending claims for at least this reason, and the rejection should be withdrawn.

CONCLUSION

The Examiner has maintained the rejections of claims 1-7, 11, 12 and 71-77 under 35 U.S.C. § 102(b) as being anticipated by Weiler. As explained in detail in the Appeal Brief filed June 20, 2007, and as reiterated above, Weiler fails to disclose or suggest all the features of these claims. Accordingly, Weiler cannot support a


Section 102 rejection of the pending claims for at least these reasons. Therefore, the Board should reverse these rejections.

INTERVIEW SUMMARY

The undersigned attorney wishes to thank Examiner Mancho for engaging in a brief telephone conference on March 18, 2008. The undersigned attorney contacted the Examiner to discuss the Examiner's comment that "appellant appears to be arguing selectively polling electrical devices, but the claims do not preclude continuously polling electrical devices." During the course of the telephone conference, the Examiner confirmed his comment was not intended as a suggestion of a possible claim amendment. If the Examiner would like the undersigned to provide anything more in regard to the March 18, 2008 telephone conference, please let the undersigned know.

Dated: March 19, 2008

Respectfully submitted,

By 

Stephen E. Arnett

Registration No.: 47,392

PERKINS COIE LLP

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-8000

(206) 359-7198 (Fax)

Attorney for Appellant